

subchapter shall be construed as establishing a precedent with regard to any future designations, nor shall it constitute an interpretation of any other Act or any designation.

(Pub. L. 101-621, §10, Nov. 16, 1990, 104 Stat. 3345; Pub. L. 103-450, §2(c), Nov. 2, 1994, 108 Stat. 4766.)

Editorial Notes

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-450 inserted before period at end “, except that as related to rights associated with lands added to the conservation area after November 16, 1990, the priority date shall be the date of enactment of the Act adding such lands to the conservation area”.

§ 460ccc-9. No buffer zones

The Congress does not intend for the establishment of the conservation area to lead to the creation of protective perimeters or buffer zones around the conservation area. The fact that there may be activities or uses on lands outside the conservation area that would not be permitted in the conservation area shall not preclude such activities or uses on such lands up to the boundary of the conservation area to the extent consistent with other applicable law.

(Pub. L. 101-621, §11, Nov. 16, 1990, 104 Stat. 3345.)

§ 460ccc-10. Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this subchapter.

(Pub. L. 101-621, §12, Nov. 16, 1990, 104 Stat. 3346.)

SUBCHAPTER CXV—GILA BOX RIPARIAN NATIONAL CONSERVATION AREA

§ 460ddd. Establishment

(a) In general

In order to conserve, protect, and enhance the riparian and associated areas described in subsection (b) and the aquatic, wildlife, archeological, paleontological, scientific, cultural, recreational, educational, scenic, and other resources and values of such areas, there is hereby established the Gila Box Riparian National Conservation Area (hereafter in this subchapter referred to as the “conservation area”).

(b) Areas included

The conservation area shall consist of the public lands generally depicted on a map entitled “Gila Box Riparian National Conservation Area” dated February 1990, and comprising approximately 20,900 acres.

(c) Map

As soon as practicable after November 28, 1990, a map and legal description of the conservation area shall be filed by the Secretary with the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. Such map shall have the same force and effect as if included in this section. Copies of such map shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Manage-

ment, Department of the Interior, and in the appropriate office of the Bureau of Land Management in Arizona.

(d) Management of conservation area

(1) The Secretary shall manage the conservation area in a manner that conserves, protects and enhances its resources and values, including the resources and values specified in subsection (a), pursuant to the Federal Land Policy and Management Act of 1976 [43 U.S.C. 1701 et seq.] and other applicable law, including this subchapter.

(2) The Secretary shall allow only such uses of the conservation area as the Secretary finds will further the purposes for which the conservation area is established. Except where needed for administrative purposes or to respond to an emergency, use of motorized vehicles in the conservation area shall be permitted only on roads specifically designated for such use as part of the management plan prepared pursuant to subsection (g).

(e) Withdrawal

Subject to valid existing rights, all Federal lands within the conservation area are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and all amendments thereto.

(f) Water

(1) Congress hereby reserves a quantity of water sufficient to fulfill the purposes, as specified in subsection (a), for which the conservation area is established. The priority date of this reserved right shall be November 28, 1990.

(2) The Secretary and all other officers of the United States shall take all steps necessary to protect the right reserved by paragraph (1), including the filing by the Secretary of a claim for the quantification of such right in any present or future appropriate stream adjudication in the courts of the State of Arizona in which the United States is or may be joined and which is conducted in accordance with section 666 of title 43.

(3) Nothing in this subchapter shall be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of Arizona on or before November 28, 1990.

(4) The Federal rights reserved by this subchapter are specific to the conservation area located in the State of Arizona designated by this subchapter. Nothing in this subchapter related to reserved Federal water rights shall be construed as establishing a precedent with regard to any future designations, nor shall it constitute an interpretation of any other Act or any designation made pursuant thereto.

(5) Nothing in this subchapter shall be construed to impair or conflict with the implementation of the authorization contained in section 1524(f) of title 43.

(g) Management plan

(1) No later than two years after November 28, 1990, the Secretary shall develop a comprehen-

sive plan for the long-term management of the conservation area (hereinafter in this subchapter referred to as the “management plan”) in order to fulfill the purposes for which the conservation area is established. The management plan shall be developed with full public participation and shall include provisions designed to assure protection of the resources and values (including the resources and values specified in subsection (a)) of the conservation area.

(2) The management plan shall include a discussion of the desirability of the inclusion in the conservation area of additional lands, including the lands not in Federal ownership that are contiguous to the boundary of the conservation area (as depicted on the map referenced in subsection (b) or as hereafter adjusted pursuant to subsection (h)) and within the area extending two miles on either side of the centerline of Eagle Creek from the point where Eagle Creek crosses the southern boundary of the Apache National Forest to the confluence of Eagle Creek with the Gila River (this area is hereafter referred to in this subchapter as the “Eagle Creek riparian area”).

(3) In order to better implement the management plan, the Secretary may enter into cooperative agreements with appropriate State and local agencies pursuant to section 307(b) of the Federal Land Policy and Management Act of 1976 [43 U.S.C. 1737(b)].

(4) In order to assist in the development and implementation of the management plan, the Secretary may authorize appropriate research, including research concerning the environmental, biological, hydrological, cultural, and other characteristics, resources, and values of the conservation area, pursuant to section 307(a) of the Federal Land Policy and Management Act of 1976 [43 U.S.C. 1737(a)].

(h) Acquisition and boundary adjustments

(1) Subject to the limitations set forth in paragraph (3), the Secretary is authorized to acquire non-Federal lands or interests therein within the boundaries of the conservation area or within the Eagle Creek riparian area.

(2) The Secretary is authorized to adjust the boundaries of the conservation area so as to incorporate within the conservation area any lands or interests within the Eagle Creek riparian area that may be acquired after November 28, 1990, as well as public lands within that portion of the Eagle Creek riparian area west of the centerline of Eagle Creek that the Secretary finds appropriate in order to properly manage such acquired lands as part of the conservation area. Any lands or interests so incorporated shall be managed as part of the conservation area.

(3) No lands or interests therein owned by the State of Arizona or any political subdivision of such State shall be acquired pursuant to this subsection except through donation or exchange, and no lands or interests within the conservation area or the Eagle Creek riparian area shall be acquired from any other party or entity except by donation, exchange, or purchase with the consent of the owner of such lands or interests.

(i) No buffer zones

The Congress does not intend for the establishment of the conservation area to lead to the creation of protective perimeters or buffer zones around the conservation area. The fact that there may be activities or uses on lands outside the conservation area that would not be permitted in the conservation area shall not preclude such activities or uses on such lands up to the boundary of the conservation area to the extent consistent with other applicable law.

(j) Advisory committee

The Secretary shall establish an advisory committee to advise the Secretary with respect to the preparation and implementation of the management plan. Such advisory committee shall consist of seven members appointed by the Secretary. One member shall be appointed from among recommendations submitted by the Governor of Arizona, one member shall be appointed from among recommendations submitted by the Graham County Board of Supervisors and one member shall be appointed from among recommendations submitted by the Greenlee County Board of Supervisors. The remaining members shall be persons recognized as experts in wildlife conservation, riparian ecology, archeology, paleontology, or other disciplines directly related to the purposes for which the conservation area is established.

(k) Report

No later than five years after November 28, 1990, and at least each ten years thereafter, the Secretary shall report to the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate on the implementation of this subchapter, the condition of the resources and values of the conservation area, and the progress of the Secretary in achieving the purposes for which the conservation area is established.

(l) Enforcement

Any person who violates any regulation promulgated by the Secretary to implement the provisions of this subchapter shall be subject to a fine in accordance with applicable provisions of the Sentencing Reform Act of 1984, or imprisonment of not more than 1 year, or both such fine and imprisonment.

(m) Authorization

There are hereby authorized to be appropriated such sums as may be necessary to implement the provisions of this subchapter.

(Pub. L. 101-628, title II, §201, Nov. 28, 1990, 104 Stat. 4475; Pub. L. 103-437, §6(d)(24), Nov. 2, 1994, 108 Stat. 4584.)

Editorial Notes

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsec. (d)(1), is Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, as amended, which is classified principally to chapter 35 (§1701 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 43 and Tables.

The Sentencing Reform Act of 1984, referred to in subsec. (l), is chapter II (§§211–239) of Pub. L. 98–473, title II, Oct. 12, 1984, 98 Stat. 1987, as amended. For complete classification of chapter II to the Code, see Short Title note set out under section 3551 of Title 18, Crimes and Criminal Procedure, and Tables.

AMENDMENTS

1994—Subsecs. (c), (k). Pub. L. 103–437 substituted “Natural Resources” for “Interior and Insular Affairs” after “Committee on”.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 101–628, §1, Nov. 28, 1990, 104 Stat. 4469, provided that: “Titles I through III of this Act [enacting this subchapter and provisions listed in a table of Wilderness Areas set out under section 1132 of this title] may be cited as the ‘Arizona Desert Wilderness Act of 1990’.”

TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

SUBCHAPTER CXVI—LAKE MEREDITH NATIONAL RECREATION AREA

§ 460eee. Establishment

(a) In general

In order to provide for public outdoor recreation use and enjoyment of the lands and waters associated with Lake Meredith in the State of Texas, and to protect the scenic, scientific, cultural, and other values contributing to the public enjoyment of such lands and waters, there is hereby established the Lake Meredith National Recreation Area (hereafter in this Act referred to as the “recreation area”).

(b) Area included

The recreation area shall consist of the lands, waters, and interests therein within the area generally depicted on the map entitled “Lake Meredith National Recreation Area Boundary Map, ‘Fee-Take Line’”, numbered SWRO–80,023–A, and dated September 1990. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary of the Interior (hereafter in this Act referred to as the “Secretary”) may from time to time make minor revisions in the boundary of the recreation area.

(c) Transfer

(1) Except as provided in paragraph (2), the Federal lands, waters, and interests therein within the recreation area are hereby transferred to the National Park Service.

(2) Those lands depicted on the map referred to in subsection (b) that are necessary for the continued operation, maintenance, and replacement of the Canadian River Project facilities and its

purposes of providing for municipal and industrial water supply and flood control shall remain under the jurisdiction of the Bureau of Reclamation.

(Pub. L. 101–628, title V, §502, Nov. 28, 1990, 104 Stat. 4492.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsecs. (a) and (b), is Pub. L. 101–628, Nov. 28, 1990, 104 Stat. 4469, which enacted this subchapter, subchapters CXV (§460ddd) and CXVII (§460fff et seq.) of this chapter, chapter 65 (§460l et seq.) of this title, and former sections 1a–9 to 1a–13 of this title, amended section 410ee, former section 463, and sections 1274 and 1276 of this title, enacted provisions set out as notes under sections 1132 and 1271 of this title and section 1522 of Title 43, Public Lands, and formerly set out as notes under section 1a–5 of this title, and enacted provisions listed in a table of Wilderness Areas set out under section 1132 of this title. For complete classification of this Act to the Code, see Tables.

§ 460eee–1. Administration

(a) In general

The Secretary shall administer the recreation area in accordance with this Act and the provisions of law generally applicable to units of the national park system, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4),¹ and the Act of August 7, 1946 (60 Stat. 885).¹ In the administration of such recreation area, the Secretary may utilize such statutory authority as may be available to him for the protection of natural and cultural resources as he deems necessary to carry out the purposes of this Act.

(b) Operation of Canadian River Project

Nothing in this Act shall be construed to affect or interfere with the authority of the Secretary under the Act of December 29, 1950 (Public Law 81–898; 43 U.S.C. 600b et seq.), to operate Sanford Dam and Lake Meredith in accordance with and for the purposes set forth in that Act.

(c) Land acquisition

Within the boundary of the recreation area, the Secretary may acquire lands and interests in lands by purchase with donated or appropriated funds, exchange, or transfer without reimbursement from any Federal agency.

(d) Cultural resources

The Secretary shall conduct a survey of the cultural resources in the immediate vicinity of the recreation area. The Secretary is authorized to enter into cooperative agreements with public or private entities, including landowners, for the purpose of conducting the survey required by this subsection. Not later than three years after the date on which funds have been made available, the Secretary shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the results of the survey required by this subsection.

¹ See References in Text note below.